



Submission cover sheet

Inquiry into Legislation on proposed firearms reform

Submission number: 065

Submitter: Director of Public Prosecutions

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ACT Office of the Director of Public Prosecutions

9 April 2026

Standing Committee on Legal Affairs

By email: LACommitteeLegal@parliament.act.gov.au

Dear Committee,

RE: Inquiry into Legislation on proposed firearms reform

Thank you for the opportunity to make a contribution in relation to the proposed firearms reform.

Please find enclosed submission for your consideration.

Yours sincerely,

Melinda Graczol

Deputy Director of Public Prosecutions (Criminal Practice)



ACT Office of the Director of Public Prosecutions

Inquiry into Legislation on proposed firearms reform **Submission from ACT DPP**

Introduction

The ACT Director of Public Prosecutions ('DPP') broadly supports, in principle, the introduction of a Firearm Prohibition Order ('FPO') Scheme in the ACT through the Firearms (Firearm Prohibition Orders) Amendment Bill 2026 ('FPO Bill') and the Firearms (Public Safety) Amendment Bill 2026 ('Public Safety Bill'). It is understood that the proposed scheme is intended to align the ACT with other Australian jurisdictions and promote greater national consistency. The DPP notes that although it has been involved in previous discussions concerning FPOs, it was not consulted during the development of this Bill. Consequently, the following submission addresses not only the Bill but some further concerns about the implementation of the Scheme.

Effectiveness of scheme – ability to conduct prosecutions arising from implementation

The DPP has previously informed government that it cannot absorb additional work arising from implementation of an FPO scheme: *firstly*, appearing in applications for FPOs to be imposed and *secondly*, the prosecutions that arise from the scheme. It is understood arrangements are anticipated for police to manage applications for FPOs and on that basis this is not addressed further.

In relation to the second issue, the DPP hold concerns about the significant downstream resourcing implications that will inevitably arise given the number of offences prescribed by the legislation in proposed new Division 12A.4 and the offence in new section 228A from the Public Safety Bill. Enhancing police powers to monitor, enforce, enter, search, and seize under an FPO regime will, as a matter of course, lead to increased detection of contraventions, related and unrelated offending.

The proposed orders may last for up to three years, during which monitoring and compliance activity will necessarily remain ongoing. Increased proactive enforcement capability will translate directly into an increased number of criminal charges for both breaches of FPOs, substantive firearm-related offences and other offences arising out of broader search powers. That has been the experience of the practitioners within the ACT DPP who have worked in other jurisdictions where such powers already exist.

It is therefore reasonable, and indeed unavoidable, to expect that a greater number of matters will proceed to charge. It is understood the Government expects this work to be taken over by



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the DPP and that is presently not possible, due to a significant funding deficit. Increased power will likely be also met with legal challenge by way of appeals following use of relevant powers under this legislation, which the DPP will be expected to conduct. This work cannot be absorbed by the DPP, which is already operating well beyond capacity as reflected in our consistent feedback to government.

The DPP respectfully urges the Government to fully consider the financial impact of the scheme and to ensure it can provide appropriate resourcing prior to legislation of this scheme, in order that the scheme can benefit as intended and necessary prosecutions arising from the scheme can be conducted properly.

Conclusion

The DPP remains willing to engage further with Government to ensure that the operational impacts of the proposed legislation are accurately represented and appropriately addressed through budget measures, to ensure the effectiveness of the scheme.